



**The Judiciary Committee
March 24, 2014**

Senate Bill 489: AAC Unlawful Dissemination of an Intimate Image of Another Person

My name is Bill Durand and I am the Vice President and General Counsel of the New England Cable & Telecommunications Association (NECTA). NECTA represents Connecticut's cable companies which compete to provide advanced broadband, voice and video products and services to our state's business and residential consumers. NECTA offers this testimony in support of Senate Bill 489, but respectfully requests a necessary modification to the proposal.

Senate Bill 489 would establish a criminal offense of unlawful dissemination of an intimate image with respect to persons who knowingly electronically disseminate an intimate image of another person with the intent to harass, annoy, alarm or terrorize such other person.

NECTA supports the Committee's efforts to protect the victims of these painful and harmful acts.

In an effort to ensure that this legislation holds the actual perpetrators accountable for these crimes, we respectfully request the following modification to ensure that Internet service providers are not liable for the criminal conduct of the end-user of these services:

"Nothing in this Act shall be construed to impose liability on the provider of an interactive computer service, as defined in 47 U.S.C. 230(f)(2), an information service, as defined in 47 U.S.C. 153, or a telecommunications service, as defined in Connecticut General Statutes section 16-247a (b)(6) for content provided by another person."

NECTA believes that this proposed amendment is consistent with federal law and appropriately clarifies that ISPs are not held liable for end-user third-party postings merely because their services were used to cause transmission or hosting of certain inappropriate content.

For the above reasons, we urge your Committee to amend SB 489 so that it includes this liability exception for ISPs.

Thank you in advance for your time and consideration of this important matter.